

DEPARTMENT OF WORKFORCE DEVELOPMENT  
DIVISION OF WORKFORCE SOLUTIONS  
ADMINISTRATOR'S MEMO SERIES

ACTION 01-14

ISSUE DATE: 07/16/2001  
DISPOSAL DATE: 12/31/2002

RE: Children First Program  
Policies and Allocations

To: Child Support Agency Directors  
Tribal Economic Support Directors  
W-2 Agency Directors

From: Eric Baker /s/  
Division Administrator

This memo outlines Division of Workforce Solutions' (DWS) Children First policies, relevant Wisconsin Statutes, revised program plan requirements, and allocation information.

### **Children First Program Authorization**

The Children First program is created through s. 49.36 stats. as a work experience program for noncustodial parents (NCPs) who fail to pay child support due to unemployment or underemployment. Accordingly, the Department of Workforce Development (DWD) is authorized to contract with a county or Wisconsin Works agencies from the funding appropriation under s. 20.445 (3) (dz) stats. to provide work experience services to promote NCPs' abilities to financially support their children.

### **NCP Eligibility**

Wisconsin Statutes 49.36 and 767.295 require that NCPs meet all of the following eligibility requirements to participate in the Children First program:

- The NCP does not live with his/her child for substantial periods of time.
- The NCP fails to pay support or meet his/her children's need for support as a result of either unemployment or underemployment.
- The NCP is able to work fulltime.
- The NCP lives in a county that operates a Children First program under s. 49.36 stats. If a NCP lives in a county other than the one that issued the order to participate in a Children First program under s. 49.36 stats., he/she may participate in the program in his/her county of residence if that county operates the program **and** agrees to enroll them.

- The NCP works, on average, less than 32 hours per week and is not participating in an employment or training program that is **required** by the department.
- The NCP's actual weekly gross income averages less than 40 times the federal minimum wage or is earning less than his/her ability to earn, as determined by the court.

NCPs participate in the Children First program services only under a s.767.295 stats. court order when child support, maintenance, or family support is ordered in any of the following situations: foster care, juvenile corrections, criminal non-support of children, annulments, divorce, visitation or custody actions, paternity judgments, or contempt of court proceedings.

### **Children First Program Requirements**

NCPs enrolled in the Children First program must be engaged in approved activities no less than 30 hours per week. NCP program participation may be a combination of employment search, community service jobs, life and job readiness skills training, or employment. The only stand-alone participation component is fulltime employment at least 32 hours per week. Dual enrollment in Welfare to Work, Workforce Attachment and Advancement, Community Reinvestment services or any other employment and training activities is an option for Children First participants as part of their employment plan, if they also meet that specific program's eligibility criteria.

All Children First participants are required by s. 767.295 (2)(c) stats. to have a current order for support, set at either the percentage standard allowed under s. 49.22 (9) stats. using the federal minimum wage, or equal to the amount of child support ordered in the most recent determination for support. The court order is to remain in effect until the participant meets the criteria for successful completion in s. 767.295 (2)(c) stats.; specifically, when the obligor has paid child support in full and on time for three consecutive months or completed 16 weeks of approved program activity.

Children First administrative agencies must operate under a DWS approved Children First plan to be eligible to claim reimbursement on the Community Aids Reporting System (CARS) or other systems as determined by DWD. Revised plan requirements are attached to this memo. Copies of all administrative agencies' subcontracts for services to Children First participants must be included in the plan. If a Children First administrative agency's subcontracts for Children First services are not ready in time for the DWS plan deadline, they must be sent to the child support DWS regional office within five business days of receiving the final signature on the subcontracts.

Children First plans must be submitted to the local DWS child support regional office staff for approval from **both** the regional office and the Bureau of Child Support before Children First allocations will be attached a DWS contract. Once approved, all changes to a Children First plan, including adding new subcontracted Children First services, must receive DWS regional child support and Bureau of Child Support approval before changes are implemented.

Children First plans are for the duration of the administrative agency's DWS contract; therefore, new plans are required for each new DWS contract for Wisconsin Works or county child support agencies. **The deadline for submitting Children First plans for CY2002 DWD allocations and program administration for existing and new Children First programs is September 11, 2001.**

Regardless of which agency administers a Children First program, a local Wisconsin Works agency has the right of first selection for providing the program's employment services. If a Wisconsin Works agency chooses not to provide Children First services **or** subcontract for Children First services, the local child support agency may then select a different employment service provider contingent upon DWS's approval from both the child support regional office staff and the Bureau of Child Support.

## **Program Funding**

The Children First program is funded with General Purpose Revenue (GPR) used as Maintenance of Effort (MOE) for Temporary Assistance for Needy Families (TANF). Children First funds may **not** be used for services authorized under Title IV-D of the Social Security Act for the administration of the child support program, or as a match for any other federal dollars.

Children First administrative agencies receive allocations on an annual basis as addenda to Wisconsin Works or child support DWS contracts based upon the availability of funds, a formula determined by the DWS, and a current Children First program plan approved by DWS. Allocations are only awarded from the Children First appropriation under s. 20.445 (3) (dz). CY/PY01 Children First allocation amounts are attached to this document. These will be used as preliminary allocations for CY/PY02 with the final allocations based upon funding in the state budget and program plans submitted.

Children First administrative agencies may claim reimbursement only for actual costs of providing services for the program up to \$400 per participant per 12 months. If a NCP's enrollment in the program continues into a second year, it is considered the same enrollment period and no further reimbursement is allowed. Allowable costs are limited to costs associated with providing employment and training services under a DWS approved plan. Claims made on CARS or other systems as determined by DWD must be submitted to the Bureau of Child Support at DWS, attention Children First program coordinator, no later than 30 days after the month that the expenditure was incurred.

## **ACTION SUMMARY STATEMENT:**

The Children First program is regulated by Wisconsin Statutes 49.36 and 767.295 to provide work experience services that promote noncustodial parents' abilities to financially support their children. All noncustodial parents enrolled in the program must be court ordered under s. 767.295 stats. to participate in the program when child support is ordered and must meet all of the eligibility requirements listed in this memo.

NCPs are required to have a current order for support while enrolled in the Children First program. NCP successful completion of the Children First program is defined as either paying child support for three consecutive months on time and in full, or participating in 16 weeks of work experience program activities.

DWS allocates Children First funds to child support or Wisconsin Works administrative agencies annually contingent upon funding availability, a formula established by DWS, and a current Children First plan approved by DWS. Funding may only be used for actual costs up to \$400 per participant associated with providing work experience services, and cannot be used to

fund child support Title IV-D activities, or draw down additional federal dollars. **Children First plans for CY/PY02 allocations and program administration are due at local DWS regional offices no later than September 11, 2001.**

REGIONAL OFFICE CONTACT: DWS Area Administrators

Attachment(s): Children First Plan Requirements  
CY/PY02 Allocations

## **Children First Program Plan Requirements January 1, 2002**

Program plans should include: 1) the county submitting the plan, 2) answers to all the following questions, and 3) be signed by the W-2 or Child Support Agency director.

### **Program Administration**

1. List the Children First administrative agency, partners, and all subcontract agencies in program. Include names, addresses, telephone and FAX numbers of each agency. Attach or forward a copy of each service provider's contract with the administrative or subcontract agency.
2. Indicate the start and end date of the plan and the number of noncustodial parents to be served per year under the plan. (*Wisconsin Works agency may have a two-year plan; child support agencies must have a one-year plan*).
3. Attach a copy of the program's documents; include your program's Rights and Responsibilities, Notice of Noncompliance, Affidavit of Successful Completion, and any other documents used in the program.
4. Describe operating procedures for: (1) client registration on the Client Assistance for Re-employment and Economic Support (CARES) system; (2) CARES data entry for participation and disenrollment; (3) Kids Information and Data System (KIDS) child support payment tracking; (4) reporting participation to the court and child support agency, and (5) include the name of the agency that is responsible for each function described.
5. Indicate which local agency will be responsible for the DWS Data Sharing Agreement for CARES and KIDS access for the Children First program.
6. Describe the program policy and procedures to refer a participant back to child support for program noncompliance.
7. Describe the administrative agency's policy for serving out of county cases.
8. Include the attached Children First Program Assurance Signature Page signed by a representative from each Children First partner agency.

### **Program Services**

9. Provide a description of services provided in the program, and specify which agency will provide each service. Specify which agency will be responsible for case management, child support tracking, and reporting to the court and child support agency.
10. Describe if and how fatherhood services will be provided for Children First participants.
11. Describe how the Children First program may collaborate with Welfare to Work or Workforce Attachment and Advancement services that may be available locally for noncustodial parents.

**Children First Program  
Assurances Signature Page**

<b>Children First Administration Assurances Signatures</b>
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We, the undersigned, are in accord with the Children First Plan for \_\_\_\_\_ County or Tribe. We acknowledge that Children First funding cannot be used to match federal Office of Child Support Enforcement funds since it is used by the state as Maintenance of Effort for Temporary Assistant for Needy Families.

<b>Child Support Agency Signature</b>	<b>Title</b>	<b>Date</b>
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<b>W-2/TANF Agency Signature</b>	<b>Title</b>	<b>Date</b>
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<b>Court Assurances Signature</b>
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The court of \_\_\_\_\_ County or Tribe will participate in the Children First program by ordering eligible noncustodial parents to enroll in the program under Wisconsin Statute 767.295 who meet all of the following eligibility criteria:

- Child support is ordered in a Children First participating county/tribe.
- The participant is subject to pay a current child support order.
- The participant lives in a county that administers a Children First program.
- The participant is working less than 32 hours per week in an unsubsidized job.
- The participant's average weekly gross income is less than 40 times the federal minimum hourly wage, or the court determines that participant is earning less than their capacity.
- The participant is not enrolled in an employment and training program required by the Department of Workforce Development for at least 32 hours per week.
- The participant is able to work full time.
- The participant is not the court-ordered custodial parent of the dependent child(ren).

Subject to the conditions stated above, the court of \_\_\_\_\_ County or Tribe has full discretion in the referral process.

<b>Court Representative</b>	<b>Title</b>	<b>Date</b>
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If your county has more than one Children First vendor, include an Assurance page for each agency.

## CY/PY2001 Allocations for Children First Administrative Agencies

<b>County/Tribe Name</b>	<b>CY/PY2001 Allocations</b>
Barron	\$2,400
Burnett	2,800
Clark	800
Crawford	800
Dane	92,360
Dodge	4,711
Dunn	800
Fond du Lac	67,315
Grant, Iowa,	0
Green,	
Lafayette,	
Richland	
Jefferson	2,962
Kenosha	94,371
Kewaunee	0
Langlade	2,400
LDF	1,124
Lincoln	800
Manitowoc	20,000
Marinette	6,111
Marquette	0
Milwaukee	431,058
Oconto	2,800
Oneida/Vilas	6,000
Outagamie	3,503
Pierce	0
Portage	3,243
Price	2,868
Racine	270,446
Rusk	3,800
Sauk	3,805
Sawyer	8,915
Shawano	0
Sheboygan	7,600
Trempealeau	2,400
Vernon	2,800
Walworth	2,400
Washburn	800
Washington	2,000
Waukesha	77,542
Waupaca	3,056
Waushara	2,800
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	\$1,137,591